STATES OF JERSEY

JERSEY CHARITY COMMISSIONER ANNUAL REPORT 2025

Presented to the States on 14th September 2026
by the Minister for External Relations

STATES GREFFE

Jersey Charity Commissioner Annual Report for 2025

The Jersey Charity Commissioner's Annual Report for 2025, published on 11 September 2026 and provided to the Minister for it to be laid by him before the legislature pursuant to Schedule 1 of the Charities (Jersey) Law 2014.

This report is available at www.charitycommissioner.je. Any questions or comments about it should be sent, please, to **info@charitycommissioner.je**.

protecting public trust and confidence in registered charities

Contents

1. Letter to Ian Gorst Esq, Minister for External Relations

Dear Minister,

1. I have the honour to send to you my Annual Report for 2025, pursuant to paragraph 4(9) of Schedule 1 to the Charities (Jersey) Law 2014 (CJL), which I have published today. In accordance with the rule set out in that Schedule, I should have published it a number of months ago but I took the view that, given how 'charity' had the potential to impact the political agenda, it would be prudent to leave publication until after the late election and the formation of the new ministry. Germane to this too was an element of uncertainty as to the date at which I would step down on completion of my third term of office as Commissioner. That is now established today; hence publication today, just in time. Data about charities in 2025, however, which forms an important part of the report, was duly published in April. I hope this slight breach of the rules, of which I made your officials aware at the time without their disapprobation, may be excused on grounds of sensible expediency.

2. It is now your duty under paragraph 4(10) of Schedule 1 to lay a copy of the report before the States as soon as practicable.

3. This is my ninth annual report as Commissioner, and, I fear, my last, ahead of stepping down at the end of today. I have thus taken the liberty to act just a little the valedictorian, venturing to proffer a few reflections on my whole time in office since 2017, the nature of the office and how it has evolved in the face of events; and on how I perceive the scheme of registration of charities in Jersey to have gone over now the better part of a decade.

4. It was hard not to be quite struck by what the Chief Minister in his recent report to the legislature on the upcoming change in ministerial responsibility for charities, had to say about things from the ministry's perspective and I take the liberty of citing some key extracts below for readers who may not chanced to have seen what he had to say. (Surprisingly, or, in truth, perhaps unsurprisingly, it seemed to attract no notice in the press):

[we the government] wish to deliver a coordinated and supportive environment in which charities can flourish, strengthening the relationship between Government and the charitable sector; and that

it is important that government acts consistently and in a coordinated manner [to help with]

- *a more consistent tone when engaging with the sector*
- *more consistent processes and governance practices supporting sustainability and long-term development (including for funding requests, and service and grant agreements)*
- *an overarching strategic vision for the sector* [and]
- *increased opportunities for promoting philanthropy*

And he went on to make the fundamental point that *the Charities Law, administered proportion*[ately] *and sensitively*, [was] *a fundamental element of supporting the sector*.

5. Although one doubts any minister would ever have consciously dissented from such observations, they were nevertheless good and welcome words for the Chief Minister to have written on the record. There can be little doubt that how best to deal or treat with 'government' is a matter high on many charities' agendas and lists of concerns, especially those which seek to deliver public services drawing on taxpayers funds either by grant or contract. The words are an important first response to issues raised in the 'relationship' sphere before and during the election; and will need to be remembered – indeed rehearsed - as time goes by. That includes by my successor, as well as members of officialdom and the ministry. Charities themselves which are interested are unlikely to need any reminding. For now, though, I simply welcome what was said, which, followed through, will or should have the potential to make a big difference.

6. The administration of the Law on charities proportionately and sensitively is of course the main province of the Commissioner, and a fair amount is said about that in succeeding pages. I have certainly striven hard, with my small but excellent team, to try to do things in the manner and spirit of the exhortation. This will, too, be an utterly main task for my successor, whosoever he or she may be, working no doubt closely and collaboratively with the Assistant Chief Minister. It will be important accordingly, I think, that that person has good understanding not only of the charity sector and the regulatory space, but also of the way 'government' works.

7. In my view, however, it needs also to be said that the Chief Minister's words should not be seen or taken as a blank cheque, so to speak, for the charity sector to enjoy the munificence of taxpayers however mediated through the strategies, plans and decisions of the ministry. Charities need to demonstrate rigorously, both to government, legislators and the public at large (which is who they serve), that they are deserving of any confidence shewn in them and that contracts or grants are not just for the simple taking almost as a matter of entitlement, as it were. They need actively to seek to ensure, and demonstrate, continuantly, that they are well able to warrant public trust and confidence, and the trust of government and other main actors in our civil society, to deliver well what is said on their tins In essence, and bearing in mind the charity test at the heart of the scheme of the Law, they need to do that through, especially, manifest good governance, a deal of transparency in their affairs, sound business practices, clear and well communicated public benefit delivery, and a measured and balanced approach to campaigning and public policy generally in their many spaces. The charity test requires the delivery of public benefit in giving effect to charitable purposes but equally an absence of public disbenefit, which can arise (and has sometimes arisen or has had the potential to arise) when precepts such as those just adumbrated are allowed to drift, so to speak, away from centre stage. Most times, most registered charities, I have found, do not or hardly veer from a correct course for maintaining public trust and confidence in what they do; and that includes most applicants for registration. But sometimes I have found, or sensed, tendencies towards the contrariwise, and that kind of territory is whence a goodly part of the Commissioner's casework flows. Putting things another way, charities must work hard to ensure that they are fit and proper, and deserving, recipients of bounty, whether from public donations or fundraising, grants from grant-givers, or support from

government all of which is by definition financed from taxpayers funds. I am comfortable that most Jersey registered charities are utterly conscious of this and work hard accordingly. But there is a bit of slippage from time to time, which, while maybe not to be unexpected in what is now a large and diverse 'horizontal' sector of the economy, nonetheless needs a correct response by the regulator – a response on which grant-givers rely to meet their own principles of governance.

8. Let me say that in nine years as Commissioner I have certainly had a fine and perhaps unusual opportunity to meet many good and devoted people working in and for charities, in whatever capacity, persons most of whose paths I doubt I might otherwise have much crossed, or they mine, even in such a small land as ours. Jersey is fortunate to have a vibrant and pretty diverse charity base, supporting extensive public benefit delivery led by staff, governors and volunteers, and supported by donors and friends, great and small; and this, in all, gives a strong measure of backbone to the whole community of the Island, while making, too, a significant economic contribution, albeit one that is too often left unsung. I feel sure of saying that the focus on charity governance which has flowed from the rules underpinned by the Charities Law has made, and is making, things go a lot better than I sense once upon a time they did, with much greater assurance for the public at large, let alone donors, that houses are on the whole in order and that they are entitled to have confidence in the sector generally, both as to giving and receiving. The price of this, though, is eternal vigilance, for things can so easily go awry or athwart, and, repeating myself without apology, it is a prime task of the Commissioner, with his small team in support, firmly to seek to counter things untoward or otherwise wanting. This is of benefit to trust and confidence in all charities. I know that the same view avails itself among leading individuals involved with charities. They see the exemplar of good, sensible, financial services regulation that helps, not hinders, all reputable actors in that sphere.

9. I must also thank you, as responsible Minister for much if not most of my time in office, for excellent support, advice and – how should I best put it? – backing, as the collective effort to get the whole scheme of the Law up and running sustainably has gradually advanced. I can certainly assure anyone who wants to hear that constructive, active, support from the Minister, and indeed the ministry as a whole, with a dose of political judgement thrown into the mix when necessary, makes all the difference to an 'arm's length body' trying its best with slender resources to deliver its mandate, however singular or independent. If sustaining such a relationship requires work, then work there must and will be – on both sides. So, thank you.

10. Finally, as a slight aside, I should remind everyone that it was you yourself who first put it to the legislature, in 2008 I believe, that the time was opportune for a modern scheme for the regulation of charities in Jersey. That was a key moment and I remember its resonating with me since I was then chairman of one of the Charity Commission's 'top 500' in England and having to get to grips with the new arrangements for charities lately introduced there. The process served to shine quite a few lights under some mature but perhaps ill-tended bushels. In Jersey, in prior years, as well emerged from the extensive consultation and debate in the lead up to the introduction of the draft CJL to the States in 2014, it seemed to have seemed to become progressively harder to know who or what was what in the world of 'charities', and for donors large and small always to have assurance as to the use to be made (or not made, as the case might be) of their moneys. In quite a lot of instances, as became apparent when the first round of registrations of 'existing' charities began in 2018, quite a lot of

non-charitable purposes and non-incidental private benefit lurked under supposedly respectable and 'compliant' cloaks. But you and your colleagues ensured that there was enough statutory backing behind the registration process and the charity test to enable such things to be smoked out as applications proceeded to determination, in all cases through soft not hard power. It is important that people know it was you who fired the CJL's political starting gun, and 18 years perspective permits one, I think, to conclude that your move was wise and of inestimable long-run value to the Island's polity.

Enough said: I shall follow things in the next period with continuing interest and but positive tergiversation.

Yours truly,

John Mills

John Mills CBE
Jersey Charity Commissioner, July 2017- September 2026

cc. Senator Helen Miles, Assistant Chief Minister

2. 2025 Key Facts (as at 31 December 2025)

- 500 charities on the public register: 430 (86%) in the general section, 23 (5%) in the restricted section and 47 (9%) in the historic section (2024: 487 general, 27 restricted, 34 historic)
- 13 new charities registered during 2025 (2024: 13)
- 397 annual returns filed and validated during the year (2024: 412)
- 20 applications for registration withdrawn without determination (2024: 31; since inception in 2018: 121)
- 13 deregistrations in 2025 (2024: 7)
- no negative determinations of applications for registration, and no appeals to the Charity Tribunal (2018-2025: 0)
- estimated total assets of Jersey registered charities around £2.25 billion (2024: £2.25 billion). (Excludes 'hard to value' assets such as public buildings, artworks or museum pieces; and goodwill.)
- median assets of Jersey registered charities (liquid funds, investments and valued assets) about £55,000; average assets around £4.5 million (2024: £64,000 and £4.6 million)
- estimated current spending of Jersey registered charities in 2025 around £212 million (2024: £221 million). This includes spending by charities whose purpose is to give to other charities so there is some double counting, and it also includes taxpayer funded payments (probably a little under 25% of the whole)
- median current spending of registered charities in 2025 about £27,000 and average spending about £424,000 (2024: £26,000 and £454,000)
- running costs of the Office £0.247 million (2024: £0.261 million), say about £2.40 per head of the country's population, financed not by taxpayers but from the Jersey Reclaim Fund established under the Dormant Bank Accounts Law 2017

3. The Role of the Commissioner and his Office

11. The Office of the Jersey Charity Commissioner is established under the Charities (Jersey) Law 2014 (CJL) as a corporation sole, independent of both the ministry and the legislature. Resources for the Office are allocated from the Jersey Reclaim Fund, wherein monies gathered by virtue of the Dormant Bank Accounts (Jersey) Law 2017 are held and invested. The Commissioner's independence notwithstanding, relations with the Government of Jersey on matters practical are governed by a Framework Agreement between the two parties, which is kept under review. As there should be, there is a range of other good working relations with the ministry and its senior officials; and with other independent bodies such as the Financial Services Commission.

12. The Office does not have a board since the Commissioner is a corporation sole. While his role is not full-time its burthen has seen a certain increase year by year as the number of entities on the public register has grown and various new problems and issues have come to pass. At the outset it was certainly not envisioned that there would be as many as 500 registered charities; the thinking was more like about half that number. Staff numbers, however, have not changed, workload pressures being addressed by an exemplary degree of personal commitment on the part of staff. As for the Commissioner, over the last five or six years his duties have required an average time commitment of about seven to eight days a month, which is more than was perhaps estimated at the outset in 2017, with continual flexible working both in and not in the office itself. The staff team comprises two persons of excellence who have become very well respected not only by and within the charity sector but also many relevant public officials and other interested parties for their diligence, expertise, continuity and – important in this day and age - accessibility: Richard Jouault and Jayne Silver. They are our 'front of house' to many charities, and others, which have issues, problems or requests to raise or communicate with us, or which seek advice as to all manner of things affecting their operations and governance. The Office is conveniently located at Forum 3, Grenville Street, St Helier, which 'all-in' premises make for a suitably economical arrangement for such a small office as essential office services are provided and require no separate contracting or administration. Mr Jouault and Ms Silver are public employees, the CJL, however, making provision that any such persons performing functions under the direction of the Commissioner are to be treated as members of the Commissioner's staff for the purposes of the Law. That has especial importance with regard to information handling. This rule is also applied from time to time if another public employee chances to be called upon to assist the Commissioner or the Office in the exercise of his or its role. It is a practicable and sensible arrangement.

13. The Commissioner is bound by the CJL to assist public offices and officers such as the Financial Services Commission or the Director of the Tax Office. There is an MoU with the former as to what is nowadays quite a substantial relationship, particularly regarding proper arrangements for exchange and confidentiality of information.

14. The Jersey Charity Commissioner is appointed by the Minister. To date this has been the Minister for External Relations, but change is in the offing for that responsibility to revert to the Chief Minister, who has lately reported to the

legislature that he intends to delegate ministerial responsibility for the CJL to an Assistant Chief Minister, Senator Miles. This report is addressed to the former, the change in responsibilities not yet having been ordered.

15. The Commissioner's principal functions, as described in the CJL, are to:

- determine the charity test for the purposes of registration, and deregistration, and actively seek to ensure that meeting the charity test by registered entities is continuant

- maintain the public register of charities

- publish and maintain guidance on the operation of the CJL

- supervise the compliance of charity governors with their duties under the CJL. Charity governors may be, for example, trustees of a trust or of an unincorporated association, or directors of a company, the trust, association or company being the registered entity. (The heart of those duties is that governors are to seek, in good faith, to ensure that their charities act in a manner consistent with their registered charitable purposes and registered public benefit statements. In like guise, registered entities must provide public benefit in accordance with the public benefit statement, which in all cases is writ on the public register. Charity governors are also naturally bound by statutory duties applicable to trustees of trusts or directors of companies, or similar.)

- assist other persons, including the Attorney General, the court, the Bailiff, the Tax Office, the Financial Services Commission and the Police Force, and equivalent bodies in other countries, to discharge, in relation to registered charities and entities with charitable purposes, any function of such a person under any enactment or law

- generally encourage, facilitate and monitor compliance of registered charities with the CJL, and seek to ensure that the appellation *charity* is not misused by being applied to, or associated with, an entity that is not a Jersey registered charity (save for charities registered in the United Kingdom)

- provide information to the public about the system of registration of charities, and advise the Minister as to the nature of charities in Jersey and the merits of any proposal for their further regulation; and

- do anything (other than acting as a governor of a charity or of an entity with charitable purposes) that is calculated to facilitate, or is conducive or incidental to, the performance of any of her or his functions

16. In performing her or his functions the Commissioner must, so far as appears to her or him to be reasonably practicable, seek to act in a way that protects public trust and confidence in registered charities, and which is compatible with the encouragement of all forms of charitable giving and voluntary participation in the work of registered charities. This is in practice the Commissioner's principal statutory duty.

17. Charities, for their part, have to meet the charity test. That is a continuant test, not a ‘once-off’ at the time of registration. The essence of this is that all a charity’s purposes must be charitable and it must deliver public benefit to a reasonable degree in giving effect to those purposes. More is written about the test in section 9 below.

18. The CJL does not give the Commissioner a mandate to consider complaints about registered charities. Pursuant, however, to the last function listed at paragraph 5 above, he has published a policy governing the approach he will normally take in considering whether or not it would be meet to consider a given complaint. [See Section 5, paragraph 5, below.]

4. Overview by the Charity Commissioner

19. Under the Charities (Jersey) Law 2014 (CJL), I am required to publish an annual report on my work as Commissioner and to provide the Minister with a copy within four months of the end of the year in question. Once he or she has received it, the Minister must lay the report before the States as soon as practicable. Although the Law allows the Minister to direct the content and format of my report, no such direction has been given. In preparing this report, I have sought to seek to follow established guidelines for public reportage to the extent practicable. The aim is to provide, as far as can be done from the datasets and knowledge that we have, which are not bad but necessarily imperfect, reasonably clear and hopefully useful information on the size, nature, and scope of Jersey's registered charity sector. This is supported by quantitative data that we collect as year succeeds to year, and leavened by such insights that we are able to derive from our constant interaction with many charities including the receipt and gauging of some 400 annual returns. In this section I add, too, a few reflections inferential from what I have been able to see and get to know these last nine years.

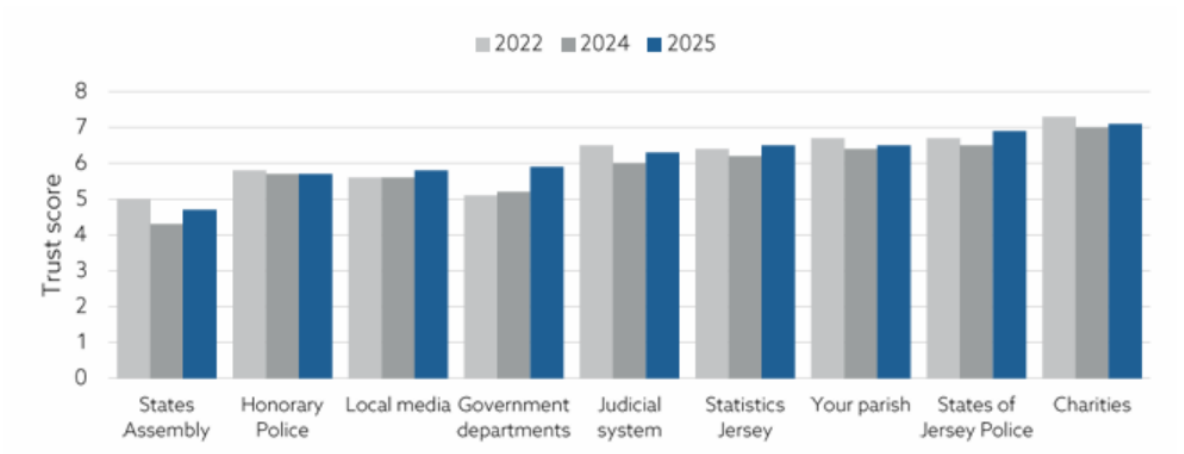
20. For reasons explained in my covering letter to Minister Gorst, this report for 2025, my ninth and last, is being delivered a few months beyond the requisite deadline identified in the CJL. I seek everyone's indulgence for this.

21. It is now twelve years since the CJL was enacted by the legislature, following a lengthy but not unproductive gestation, and eight years since applications for registration of charities pursuant to the new law were first invited. During those latter years I have been able to approve for registration some 500 Jersey charities. That is by some way a bigger number than was envisioned at the beginning. Although some of them have been lost along the way, I end my term of office with 452 active Jersey charities on the public register, all contributing in their differing ways to the civil

society of the country, not to mention the economy. I choose to think that that's fairly good.

22. I believe the regulatory framework has settled quite well over this period and I sense general approbation of it both among the regulated and those who would be, and the public at large. (If there is a criticism from activists among the latter it is perhaps that the framework is not strong or comprehensive enough, a sentiment with which I have generally and usually not agreed.) While the scheme of the CJL is to protect public trust and confidence in charities, that very object protects and supports them, too; donors, for example, are enabled, if they wish it, to obtain reasonable assurance from a trustful source of a charity's *bona fides*, and reasonably to know that moneys given will be used with fair transparency and in pursuance of published objectives. To coin a phrase and a pun, people are enabled to have confidence that the coins they put in the tin will be used satisfactorily for public benefit. While disagreements or difficult conversations with applicants and registered charities may be inevitable as my Office goes about its work - and indeed probably necessary if we are duteously to aim to serve the public interest - I have continued to be encouraged by the broad acceptance of the Commissioner's role among those working hard to lead their charities or organisations in often challenging circumstances. The public register now provides a substantial amount of information about individual charities, and we have a good run of aggregate data that very much helps to illumine the wider landscape. The available data is not perfect; for example, it does not include full accounts but instead the more limited financial information prescribed by orders under the CJL. Nevertheless, compared with a decade ago, charities in Jersey—many of which rely on public generosity, grants from other charities, voluntary effort and, in some cases, support from taxpayers funds - are no longer the closed books they perhaps once were. Their governance is open to oversight and scrutiny, and they are accountable for delivering public benefit to give effect to their purposes as set out on the public register. People can know what they do, or do not, or fail to, do.

23. Such transparency is at the heart of protecting public trust and confidence in registered charities, a point which bears repetition. Even if, as it will be, the regime is imperfect, it is a key reason why charities consistently rank among the most trusted institutions in the annual Statistics Jersey lifestyle survey, as indicated by the histogram below, taken from the 2025 survey.



Average trust in institutions (1 to 10) over time
Jersey Opinions & Lifestyle Survey 2025 Statistics Jersey

24. Trust is perforce hard-won but common sense would suggest that it may also, who knows, be not that difficult to lose. A July 2025 report from the Charity Commission for England & Wales, based on its annual survey of more than 4,000 people, found that the average trust rating for charities was 6.5 out of 10, unchanged from 2024 and one full point above the 2018 low of 5.5. The survey showed 57% of respondents expressing high trust in charities (down one point), 33% medium trust, and 10% low trust (up one point). Notably, trust levels held steady despite intense media attention on the Captain Tom Foundation case. Encouragingly, eight in ten respondents expressed positive views of the regulator and confidence in its impartiality. Those are pretty good scores and it might be surprising if a similar survey in Jersey did not yield similar results. But they should not lead to complacency. The sector's reputation can be damaged quickly if transparency, good governance and public benefit delivery are not actively maintained- or if there is slippage away from public benefit to private, including the perception of the same. So indubitably it should be a common endeavour to continue to seek to protect trust and be vigilant about anything which might point or lead contrariwise. One can certainly speak positively in this regard of the charity sector in Jersey generally, but it is the case that we do find from time to time in our oversight work instances of standards less high than they should be, and occasionally very much so. In a cohort of 450 diverse businesses (for that is what they all are, in one form or another) that is unsurprising even if unwelcome. The main problems arise first, where private benefit can be seen as seemingly seeping into the conduct of business in ways that go beyond the incidental, and secondly, where activity seems to be becoming unhooked, so to speak, from defined purposes and objects. The latter includes insufficient activity, too, so that requisite delivery of public benefit to a reasonable degree cannot be demonstrated. I think it would not be wrong or improper to say that there are some charity governors – some, not many – who perhaps have insufficiently appreciated the public-facing obligations that come with charity status – sins of omission not commission, in the main, I should add. These are areas and spheres where we try to concentrate our regulatory oversight. Perhaps it could be said by metaphor that public trust and confidence in registered charities, whose protection is my principal function under the CJL, perhaps hangs by two threads, one pretty robust and able to carry weight, the other slender and liable to sever if the load is too great. If the latter breaks, things probably don't fall to the ground but the load, now held by but one thread, becomes unbalanced and may hang aslant or askew. The task is to seek to ensure that too great a load on the slender thread is avertable, while always trying to ensure that the strong one stays that way.

25. Understanding the needs and expectations of government also plays a role in this, since it, 'government', is top-placed to set the right tone for public discourse about charities. One fears that successive ministries have not always been as brilliant at that as they might or should have been, notwithstanding no doubt best intentions. 'Government' – which is quite a collective noun – needs to develop a more informed view of charities—their strengths, their weaknesses, their challenges, and the realities they face—at a time when debate about the relationship between the two can sometimes be polarised. That is probably a truism for all times but equally apposite is that charities themselves and their supporters should actively help 'government' to

help itself on this. I think leading actors in charities themselves are better and more forthright in this space than, say, five or six years ago, and, as I have opined in my covering letter to Minister Gorst, there is now a very positive sign or two of the message's having been received. Recent work by the Association of Jersey Charities on this certainly warrants approbation. It remains to be seen what and how action will flow from the government side, but it seems to me that we are perhaps now at a point of departure. I am sure that my successor, whoever she or he is and whenever appointed, and Assistant Chief Minister Miles, successor to Minister Gorst, will, each from her or his perspective, take this forward in a fructescent way. Getting it strong and right will matter much to many Jersey charities and the beneficiaries whom they serve.

26. As has become the norm, a significant part of our work in 2025 was dedicated to reviewing the roughly 400 annual returns submitted to us by registered charities before their being signed off and placed on the public register. This is the essential work of the Office that enables us to be satisfied that the charity test is properly in play, and which generates information for the register about what charities do and are doing, to which all citizens, and others may turn as they will. This is not routine work. In many cases iteration and questioning of submissions is required and we are always left with a fair number – I hazard a guess of around 50, or one a week – where potential follow-up needs to be carefully considered by all three members of the team. This is often or generally principal territory where the points touched on in paragraph 23 above come into play. It should be said, too, that we always examine first or second annual returns on newly-registered charities with particular care, especially where we have signalled at the time of approval for registration the kind of evidence of public benefit delivery we should need to look for as a new charity gets going. I am very conscious of the burden that this necessary scrutiny can or could impose upon a charity, and so such interaction is consciously approached with care and caution. And that obtains even where a situation may look to be somewhat egregious. But duty has to be done because, as ever, protecting public trust depends on it. So we put a deal of thought into always seeking to get the balance of our approaches as much aright as we can, not shirking firmness where it is needed but not adopting the same for the sake of it. That has always seemed to me to be an appropriate approach.

27. Since the initial 'bulge' of applications for registration in 2018-2020, there has continued to be a small but steady stream of new applications – 13 in 2025. Some of these have been straightforward to approve; a few others, less so. But in every instance we give the most careful consideration to these, and, in a way we could not have managed at the outset for the volume, we now generally have one or more meetings both with applicants and potential applicants to ensure we are fully cognisant of their aims and plans and that they have an understanding of what is required for registration to be able to proceed. This has proved to be a fruitful approach even if in some cases I have felt unable to take things forward to registration and have invited withdrawal.

28. In the last year or two there has also been what one might term an uptick in the number of deregistration requests – also 13 in 2025. One way of looking at that is as an attrition rate of less than 3%, which might be not unexpected or seen as not of much consequence in what is now such a large and diverse cohort within the

economy. No special reason for deregistration stands out but one surmises that the main thing has been governors' wishing to move on or away with no-one else to take on a mantle. I do not think it is particularly for want of resources, so often, perhaps, the first cri de coeur, but more of a practical or cultural thing. The main statutory task in a deregistration situation is to ensure that remaining charitable assets remain in that state through being transferred to other charities, and to this end the CJL provides that the Commissioner must approve deregistration settlements. The system is understood and accepted, and works well, without bother.

29. What else comprises the day-to- day workload? I would characterise that, in the round, as 'governance'. We have a fairly substantial caseload in this sphere that seems to grow little by little: a range of governance issues brought to us by charities or their members for advice or putative consideration (whether or not as complaints), or which are initiated of our own volition from intelligence received including from the press. I include in this category alleged or demonstrable misuse of the term *charity*, which is a protected word under the CJL. Issues might concern the structure of a charity, voting or other rights for its members, budgetary or property issues, embryo plans for the future or the conduct of business or of individual persons who are governors or employees. The challenge of relations with one or other branches of government also feature. I think – and I am pleased to be able to say this - we have over the last years developed a reputation as a place where charities can come readily for advice or support or reassurance on matters that are usually reasonably straightforward but which could often, perhaps, be regarded as esoteric. Unlike many businesses, charities do not, often, have professional advisers at their beck and call. In fact, they can often have next to no administrative support at all. We do not offer 'professional' advice but we have developed a good sense of what charities ought to do, and, perhaps more important, ought not to do, in given situations; and we can often help charities to find not only the entrance to the maze, but their way through it and out again.

30. Part and parcel of this is accessibility. Our office is accessible; everyone knows where it is. We answer the telephone speedily, *sans* menu. A face to face meeting can generally be arranged with promptitude. In fact, accessibility for us, in an age of communications where there seem to be more communications barriers than ever (who can now contact the right person at the ministry by ringing up on the telephone?), has become a bit of a USP. We strive to ensure that charities, members of the public, the media, and professional advisers can reach us easily and receive timely, practical support and signposting to wherever, but notably to and within 'government'. This obtains even where, as things turn out, we cannot in practice offer much by way of useful advice or where it would be inappropriate to do so for, say, reasons of confidentiality. This can apply especially where we receive queries or requests from third parties, even if 'members' of a charity (where their position would normally be governed by the rights and rules of that membership).Dialogue with our counterparts in Guernsey has also been of interest and value, although there is but a handful of Jersey charities that also operate at that country. Closer to home, we have sought to maintain regular engagement with St Helier law firms on matters relevant to charities; and their principals know where to find us. They have even borrowed our books. All this is not in my view a minor matter. There is genuine advantage to charities in being able, through us, to get into the 'system' and get answers to questions that may be second nature to us, but not them. And there is inherent advantage for all in our not being, or being seen as, remote as a regulator. It is one

key way not only of supporting charities but also seeking to ensure that they keep to a correct course in their navigations; and, crucially, that we do too.

31. Detailed data for the year is presented later in this report. In summary, at the end of 2025 there were 500 Jersey registered charities, maintaining the position a year prior, there having been 13 new registrations and 13 new deregistration's. At 31 August 2026, the number on the register had risen by a further 1.5% to 508. The aggregate financial information we publish inevitably lags slightly behind real time, as annual returns are submitted throughout the year depending on registration start dates. Nonetheless, the data helps to provide a reasonable indication of the aggregate position and readers can make of it what they will. While individual organisations will, of course, have performed better or worse than the average, the fairly striking main feature is the continuing financial resilience of the sector. Despite some commentary to the contrary, the income of Jersey's charities remains, if not buoyant or robust, then seemingly all right, with a broadly similar picture for assets. But I do emphasise that I am speaking of the aggregate. And I proffer a caveat. As can be deduced from the States accounts, about 25% of moneys expended by Jersey charities is from taxpayers' funds, taxpayers as a whole, indeed, perhaps or probably unknowing of the fact. This relative dependence may not be a bad thing – I am carefully not saying one way or the other because the government needs or wishes to contract for various services and thus must take a view about the value of grants from public funds for the benefit of the polity; but it creates risk, a risk, moreover, which I think I am in right in saying has not to date been managed centrally so may probably have had little or no ownership over the years. What the ministry chooses to give from the funds of citizens that it controls, the ministry can equally take away. Other things being equal, if public spending was to be reined in for macroeconomic reasons my successor could well in due course be reporting a downturn in funding among those (admittedly relatively few) charities that depend quite significantly on these particular flows of financial resources. This, I think, needs to be noticed. And of course, it all adds to the aura of funding uncertainty facing many charities much of the time. The Chief Minister's recent words are thus more important than ever, I think I would need to own. See also paragraph 52 below.

32. It is satisfactory that there has been a continuing, fair, flow of new applications for registration. There are lots of good ideas and plans in the frame. Some applications are straightforward; others are more tricky, judged solely in the light of the charity test. We also, though, continue to receive a few applications, not always not guided by professional advisers, that at least to start with are not well placed to meet the charity test. This is usually for one or more of a few main reasons: for instance, unclear purposes, purposes not exclusively charitable, uncertainty or vagueness about the nature of the public benefit proposed, and private benefit beyond the purely incidental sometimes by seemingly quite a long way.

33. Charities leave the register for a variety of reasons. Often, founders or key individuals retire or step away from long-standing commitments. In some cases, people find it too difficult to deliver funds safely to projects in distant or troubled lands. Sometimes enthusiasm simply fades, as is natural when many charities rely heavily on the drive of just a few individuals. Other departures stem from financial pressures, market conditions, or less-than-optimal governance or decision-making by those acting as trustees or company directors. In parts of the sector, it should also be said, there is probably also a degree of crowding, or even, some may assert,

overcrowding, perhaps making a particular public benefit offer not so easy to deliver in a consistent way. And circumstances can change abruptly. A church or chapel, for instance, may need to close for want of congregants. It is always important to remember that charities, large or small, operate under many of the same conditions as all other small businesses, with the crucial difference that their duty is outward—to the public interest—rather than inward, to owners or shareholders. But the challenges they face, and the market events that affect them, are similar. Numerous private companies cease trading each year with little comment; gaps in the market are filled by new or expanding enterprises. The same applies to charities – why might it not? Churches provide a useful illustration. Advancement of religion is cited by 79 registered Jersey charities - 17% of the number on the register. Some congregations grow, others contract; it has likely always been so. Some vicars and pastors are more charismatic and energetic than others. Some churches have a better 'offer' than others. Charities have no inherent right to survive if what they offer is not in demand or does not attract the support of donors and, in this case, worshippers. Overall, though, the attrition rate of registered charities remains modest, and that would probably remain true if the rate doubled to 6% from its current 3. Some level of turnover is inevitable—and would look to be healthy. A dynamic charity sector benefits from new entrants and refreshed activity. Deregistration should not be viewed negatively; it is part of the natural cycle of a sector that keeps on reinventing itself even as it sheds a layer of skin or two. And, last but not least, the residual assets of deregistered charities have to be put to fresh charitable use.

34. When speaking to a general audience—and often to a specialist one too— I find that it is helpful to restate the charity test set out in the CJL. Applying this test lies at the core of my role. Its essential elements are set out for ease of reference at Section 9 below. An applicant must satisfy the test for registration; if the test is met, I am required to register the charity, and if it is not, I cannot do so. As with most examinations, the outcome is not always a simple matter of black and white. Judgement and discretion play a part—both in how an applicant chooses to present its case and in how I reach a reasoned decision. Some applications are straightforward, with charitable purposes that are clear and public benefit that is readily discernible. Others are less clear and warrant or necessitate detailed inquiry. If I refuse an application, the applicant may appeal to the Charity Tribunal and, if necessary, the court. Similarly, if it is believed that I have approved the registration of an entity, the charity test not having been met, a third party may challenge my decision. The Attorney may appeal any decision I make. The responsibility therefore rests with me—supported by my small team—to assess each case carefully and consistently. Just as I have already said about annual returns, which are also a function of the charity test, registration decisions are not routine work and I am acutely aware of how significant they can be for some organisations, and the hopes and fears of those standing behind them. The same goes for the way the test has to be continuantly reassessed, taking account especially of annual returns.

35. It is pleasing to have got to the end of my tenure as Commissioner without there having been any appeals to the Tribunal against the many relevant decisions I have taken. I set this as an unwritten personal objective upon appointment in 2017, against which I am most glad I can now put a tick. Where an application manifestly does not appear to meet the charity test, we generally invite the applicant to withdraw it—with the option to return with a revised proposal—or, more often, work with the applicant to bring things to a compliant standard. This may involve revising the public benefit

statement, making governance improvements, or adjusting the stated charitable purposes. It may sometimes require a full rethink of the proposed plan. In some cases, it requires active action to remove real or perceived elements of private benefit. In some spheres of activity, moreover, I have occasionally worried that an application may have been driven, or at least influenced, by the simple attractiveness of charity funding to bolster a possibly marginal business case. This may especially be the case where the legislature has chosen of late to hypothecate certain sums or proportions of moneys to particular areas of activity. I would not want to overstate this, but the issue is there, I think, and will always warrant some vigilance from the charity test perspective. My duty is twofold: to support applicants in meeting the charity test, but equally to safeguard that test in order to protect public trust and confidence in charities. In almost every instance, prospective governors have been realistic and knowing about the issues we identify and keen to resolve them. As a result, most applications ultimately succeed. Some, though, are rightly turned empty away.

36. I do hazard, however, that my successor will likely be faced with an appeal sooner rather than later. It feels like a prospect in keeping with the times, by which I mean that there are or will be emergent applicant entities not prepared to take no for an answer since charity status can be so beneficial financially, or at least look to be so. In any case, moreover, from a purely public policy standpoint, it would not be unhealthy for the appeals process and the Tribunal to be exercised in due course, though it would for sure impose quite a burthen on a small team. Whether, however, to appeal would only ever be a matter for others. My role is to help applicants achieve compliance with the charity test but without allowing them slack. Tribunal or no Tribunal, an application cannot proceed without meeting that standard. It is therefore right that our principal focus is on supporting applicants to reach compliance in a reasonable and proportionate way. If that cannot be achieved, a disappointed applicant thinking of possible appeal would have to make her or his own judgement call as to the kind of tribunal outcome to be expected. All this notwithstanding, though, it has to be said that knowing that one's decisions can be challenged at law, in a way rather easier than through application to the court, does concentrate a charity regulator's mind and lead her or him, I hope, towards measured, just and sensible outcomes that meet the test of protecting public trust and confidence.

37. The charity test, set out in Articles 5–7 of the CJL, has two components. First, an organisation's objects must be exclusively charitable, save for purposes that are merely incidental or ancillary. This means an entity's stated objects—whether it is a trust, company, or other structure—must fall within one or more of the fifteen statutory charitable purposes listed in the Law (see Annex (b)), which together provide considerable breadth, or else be appropriately analogous. Secondly, the organisation must provide, or intend to provide, public benefit to a reasonable degree in furthering those objects. To this end, each applicant must agree a public benefit statement with me; this is published on the register and forms the basis for public accountability. Once a charity is registered, its governors have a duty to act in a manner consistent with that statement in running it, and the charity itself has a duty to provide public benefit in accordance with the registered statement. At the outset I issued guidance on what public benefit statements should comprise and look like, although I do not think that applicants have always troubled to consider that before making their initial submissions. That said, the arrangements in the CJL for public benefit statements as a means of seeking to demonstrate intended public benefit

delivery, together with annual narratives as part of annual returns to show what has actually been done, are, in practice, a clear and effectual framework for transparency, even while, of course, some fuzziness presents itself from time to time.

38. Public benefit—the essential requirement a charity must satisfy—is not defined in statute but is generally fairly straightforward to gauge. There is a substantial body of case law, extending back at least to the eighteenth century, which continues to guide modern interpretation. As always, one begins with the ordinary meaning of the words, but several principles apply. The emphasis on public is critical. Public benefit is the antithesis of private benefit. Public benefit must not advantage some while disadvantaging others, whether actually or potentially. It must be directed to the public at large, or to a sufficiently section of it, and it must be provided without undue restrictions such as high charges or capricious membership rules. It may not be directed to named individuals or to a closed group of identifiable persons. Nor can a political party ever be a charity, and an entity whose constitution provides for express ministerial control cannot meet the test. (Several constitutions have had to be changed over the years to comply with this rule.) I may not assume that any particular charitable purpose is for the public benefit; turned the other way round, that means that a purpose is not a charitable purpose save that public benefit, in accordance with the CJL and the operation of law, is delivered consequent upon it. This means that public benefit must be demonstrated; hence the importance of registered public benefit statements. The case law also reinforces important constraints: for example, an entity cannot be charitable if pursuing objects contrary to the law of the land or that are manifestly against public policy. Similarly, while charities may engage in reasonable advocacy connected to their objects (and by definition it must be so connected) public benefit may not be political. If it was it would not count towards meeting the charity test. It follows that a balanced and measured approach should be followed in addressing complicated or controversial issues, including what one might term ‘single’ issues, on which maybe public opinion is quite legitimately divided, or even polarised. In that way it cannot be said that public disbenefit could arise in a way that counteracted or crowded out, so to speak, public benefit arising from wise discourse. All these things, though, require judgement to be brought to bear, and therein lies the central challenge of the Commissioner’s role.

39. Looking back, in 2014 it was a very good decision of the legislature to approve a law on the regulation of charities that served to require all ‘existing’ charities to apply for registration afresh, as it were. Previously there was not really any control on the use of the moniker, and a ‘charity’ was typically an entity that had made a case to the Tax Department for tax relief on donations, which case had duly been accepted. It fell to me to do this once upon a time, for an entity now defunct, and I recall that the process exhibited little rigour. Such entities now had to apply to the Commissioner for registration if they wished to have charitable status and continue to enjoy tax and any other such benefits. I own to having never been quite sure whether this was a conscious decision on the part of legislators or merely serendipitous, but for the purposes of satisfactory regulation of charities in the public interest it could be said to have been a masterstroke.

40. I came to realise this upon visiting the Scottish Charity Regulator at Dundee, soon after my appointment. I was keen to learn how they went about things there, Jersey having taken the relevant Scottish Act as a model for its own law on the suggestion of the Jersey Law Commission. The team at Dundee were truly quite envious when they

got to know of our (then) intended approach, for in their case all 'existing' charities – a goodly number in the tens of thousands, also based in essence on the old tax relief test - had been automatically "grandfathered" on to their new charity register. This resulted in an instantly large number of (now) registered charities about which the regulator initially knew very little, if not nothing at all. There was precious little way for them to know the extent to which they might meet the charity test, or not as the case might be, or whether they were actually delivering public benefit in the manner required under their new rules, the which we ourselves had chosen to adopt almost wholesale for the CJL. Although the Scottish regulator was mandated to review the list, it was very long indeed and progress would understandably be slow; and two decades on, one understands that the process remains well unfinished. At Jersey, by contrast, the requirement for all 'existing' charities to apply to become registered charities meant that we were able – indeed, obliged - to examine each application closely from the outset. This has helped tremendously in our having been able to gain a meaningful cognisance of all the charities on our public register, and to get to become acquainted with many of their principal actors – and they us. Ongoing scrutiny through annual returns—supported by succinct activity narratives and key financial information—further enhances this picture. Press coverage, the occasional complaint (well-founded or otherwise), and our regular engagement with charity governors by telephone and in correspondence – and, it should be said, by chance contact say, when one is abroad about the town - also contribute to our understanding. These exchanges depend, of course, on mutual trust and the careful handling of confidential matters. But the end result, I venture to assert, is a public register containing the best reasonably possible information for public use and scrutiny. It also ensures that my office has the information it needs—including full annual accounts, which are not published—to identify emerging issues and potential problems. In doing so, we can more confidently fulfil our statutory function: protecting public trust and confidence in registered charities. Good and timely information, and access to the same, remains our strongest tool in working to achieve that objective.

41. When registration opened in 2018, we saw a predictably high volume of applications from the existing pool of organisations previously considered charities. For most, the process was straightforward. As the data in this report shows, that initial surge had largely run its course within two years or so, and by the end of 2020 around 420 charities were registered. Since then, the flow of new applications has naturally slowed, but it has by no means stopped. At the end of 2025 there were 453 active registered charities and at today's date, 452. The net increase over recent years, however, masks a fair number of deregistrations over the same period. Applications continue to come from private individuals and organisations of all types—large and small, ambitious and modest. Each brings its own interest and character, and maybe challenge. What matters in every case is simply that the charity test is met. For some that is not hard; for some others it is perhaps a bit hard; and just for a few, it is very hard. Our role, though, is as far as can be to help people pass not fail, and I like to think that we have more or less managed to achieve that.

42. What public benefit does charity regulation itself provide? Is it simply but another example of a tendency in public policy to regulate, whether for the sake of it or in response to a perceived mischief, or is it something more substantive that aims to construct a genuine public good? I believe, unsurprisingly but sincerely, that it is the latter, and it broadly explains how the notion of charity law reform came on to the

agenda in Jersey in the first place around 20 years ago. For several hundreds of years, charities and the concept of charity itself have been regulated by the courts of the common law tradition. The leading English lawbook on the subject runs to around a thousand pages and cites some two thousand cases, all material at which the Royal Court of Jersey may decide to dip into when needed, and which we look at all the time. (This was the book a leading law firm in St Helier was keen to borrow to buttress its knowledge of a particular (but uncontentious) case about an old trust in which we were also involved.) The purpose of this long history of oversight has been consistent: to uphold the defining feature of charity—the requirement for a wholly public element in return for the privilege and prestige of the status—and to seek to ensure that private elements do not overwhelm that or take its place. Thus, charity regulation is a matter of public policy, and always was, since the first English statute on the subject in 1601. For a long time, regulation was a matter but for the courts, but the times now demand a statutory framework with regulators as intermediaries. There was no opposition of principle to the CJL when it came to the legislature 12 years ago. In Jersey the CJL codified the core concepts as developed by the English courts and gave the new Commissioner appropriate and sufficient tools to seek to make things run well for the benefit of all citizens, that is to say the public at large, always subject to the jurisdiction of the Tribunal, and the court itself.

43. The principal provisions of the Law substantially mirror those of the Scottish 2005 Act, itself not unshaped by English legislation and case law, with certain Scots law nuances. Placing common law rules on the face of the statute—and enabling their supplementation with statutory guidance—has caused a significant increase in awareness of essential concepts such as the need for purposes to be wholly and exclusively charitable and the avoidance of private benefit. Codification has also brought into clearer view the full range of charitable purposes. Jersey recognises fifteen statutory purposes, with scope to include further purposes that are analogous but no scope to reduce the fifteen. This has, in practice, expanded the breadth of what may be regarded as charitable, even if reflecting overarching purposes that may well have always existed but which were not widely discerned. The result is a more accessible, transparent, and contemporary framework that I think it can safely be said helps to support the vitality of civil society. That looks like a meaningful gain for citizens. It is a gain for charities too, which can but benefit from public and donor perception that they are, by reason of law, overtly held to high standards of probity and governance.

44. Charity regulation, it looks as if it can be said, also provides a wider benefit, contributing in a broader sense to Jersey's public and institutional integrity. To my slight surprise a few years ago I learnt that the Commissioner was listed as one of seven financial services industry regulators in the government's 2021 Financial Services Policy Framework, supporting what was described as the "private wealth" pillar of the Island's finance industry. It is an interesting designation, and one of which I was wholly unaware until the day I chanced upon it. No-one in 'government' had thought even to ring me up about it. I believe the designation survives into the government's current 'action plan' for financial services competitiveness, launched with fanfare a few months ago. The appellation is flattering but I am, however, not entirely certain that it aligns correctly with the scheme of the CJL, which is the point I would have made had I been consulted. First, 'private wealth' is not the half of it: most charity in Jersey depends on the hard graft of good people serving as governors or volunteers, or engaged in public service delivery, more often than not in

unglamorous roles and situations. Secondly, unlike, say, the Financial Services Commission, my mandate does not include being required to act in Jersey's best economic interests, or some such formulation. The charity test is the charity test, whoever or whatever is the applicant. Thirdly, and this emerged after I had done a little research upon my first getting to know of the designation, I came to the view that the materials put out to advertise Jersey's financial services prowess, notably by a largely taxpayer-funded organisation called 'Jersey Finance', did not display the most pellucid understanding of the CJL regime it is my duty to supervise. (I was of course not consulted by that organisation beforehand.) In particular, the notions of charity and philanthropy were wrongly run together as one and the same, the existence of my Office being cited, in the private wealth context, in support of Jersey's being a leading player in the 'philanthropy' space. Fourthly, I think that thoughts from the finance industry side were somewhat influenced by, or focussed upon the perhaps esoteric regime, derived from the Trusts Law, as to so-called charitable trusts being utilised as 'topco' vehicles for complex financial structures, that utilisation as a function of the entity scarcely being an exclusively charitable purpose. But so things go. It shows at least, perhaps, that regulation of charities matters.

45. Nonetheless, it is self-evident to me that if Jersey is to host or administer global charitable resources – that is to say, resources that are truly charitable in the ordinary, lawful, meaning of that word - those structures must meet the charity test and be subject to the same oversight for the benefit of the public as any other charity large or small. The charity test is derived from law and is not for one type of entity claiming or asserting *charitable* status but not another. Although charitable as a moniker is not a protected appellation under the CJL (as is *charity*) they are both equally charitative and from identical linguistic roots. That this in practice is not, or not necessarily, the case in Jersey, is not only untoward in my view but also surely carries some reputational risk. It might also be said that it could look to devalue the status of registered charities by allowing others to enjoy the fruits of the status without the accompanying public-facing obligations. Notwithstanding, the charity test remains paramount. My decisions about that must be based solely on the powers and functions the Commissioner is given under the CJL, and certainly not on ministerial or 'industry' preference. I could not otherwise protect public trust and confidence in registered charities.

46. I do suspect, though, that activity in this sphere – the so-called 'private wealth' pillar - will present new challenges for my successor in the years ahead. I am confident that the current legislative framework is capable of addressing all this but I am less sure about the way that the policy intent or alignment is seeming to focus mainly on the wishes or interests of 'industry' thus perhaps underplaying the special status of charity itself. A good starting-point would be some better and greater elucidation, in the open, of the nature of the issues that arise from there being in Jersey two really quite separate statutory forms of charity, one regulated and the other, in practice, not, as was found by the Royal Court a few years ago in a case involving substantial abuse of a so-called charitable trust ([2021] JRC 319).

47. Returning to the registered sector – my main concern – the one issue that seems to be predominant in debate is the relationship with government. I have already touched on this and drawn attention to the powerful recent remarks of the Chief Minister. While it is essential to understand the challenges faced by those of Jersey's registered charities that particularly depend upon government contracts or long-term

grants, it is equally important to maintain some perspective. For most registered charities, the direct relationship with 'government' is minimal or non-existent, save for those ordinary things with which any business might have to contend in the normal course. Only a relatively small number of registered charities receive taxpayers' funds or have significant, specific, dealings with government officials or policymakers. These issues are important, but they affect only a minority of organisations. For example, one of the most common charitable purposes among all registered charities is the advancement of religion—a field in which one would expect taxpayers' funds not normally to feature at all. Keeping this broader context in view helps ensure a fair and balanced understanding of the sector's diversity and the differing circumstances in which charities operate.

48. Evidence and experience do seem to suggest that 'government' has not always been as effective or consistent as probably it should be in contracting with, or grant-aiding, charities. This is hardly unique to Jersey. Similar concerns are debated in England and Scotland, where issues extend beyond funding towards pointed criticism of officialdom, central and local that in general it lacks understanding of the nature and needs of the charity sector, even when it is being prayed in aid to contribute towards public service delivery. I recall this myself when, thirty years ago, I found myself at the head of a large English local authority which was endeavouring to manage a lot of relationships with charities and voluntary organisations. The National Council for Voluntary Organisations' Power of Small report (April 2025), based on a year-long study of over 600 UK voluntary organisations with annual incomes below £1 million, offers useful insights. In Jersey terms, this cohort would represent more than 90% of our registered charities. The report found that small organisations often feel underrepresented, excluded from decision-making, and disadvantaged by systems that appear designed for larger bodies. Many reported difficulty in navigating complex funding structures, and a need for a stronger voice in policy development, improved representation in funding decisions, and changes to funding models. Key challenges highlighted in the report included: lack of unrestricted multi-year funding; disproportionate application processes; funder-driven models not in alignment align with grassroots priorities or realities; and limited access to support, particularly in respect of governance, digital tools, operations, and training. Respondents viewed hybrid support models - digital and face-to-face - as the most effective. The report recommended streamlining funding processes, increasing access to flexible multi-year support, and strengthening sector infrastructure to ensure smaller organisations have access to tailored training and tools without undue time pressures.

49. How true all this seems to ring in the context of how debate on this topic in Jersey has been going these last years. One is not immediately aware of the response to the report by 'government' in England, and maybe the report has simply risen without trace amid seeming even more pressing difficulties there. Jersey, however, in my view now has a very good opportunity for things to go better. That starts with the sentiments underpinning the Chief Minister's remarks but action will be needed to turn his words into something concrete throughout the whole monolith that is 'government'.

50. Looking specifically at Jersey, and putting to one side any particular issues in public procurement (which affect all local businesses), it does look to be the case,

looking at the position in the round, that there is some lack of understanding in 'government' about the nature of charities—both as businesses of a particular kind (invariably small or micro businesses) and as organisations that rely on stable, predictable funding and which, crucially, often have few administrative resources or ready access to affordable professional advice. (That was a very particular problem in a recent quite well-publicised instance.) Many require security beyond a single year to operate effectively – which means being reasonably able to retain key staff. It is noticeable, though, that in certain charity grant-funded areas such as heritage, the arts, and sport, arrangements often work relatively well, even if recipients naturally wish for more support. The relationships seem to be more secure. The more difficult terrain appears to lie in "mixed-economy" areas, where 'services' may be delivered both by government and third parties, and boundaries, perhaps not crystal clear to start with, continue to shift as people come and go. Even if these sorts of problems are recognised in general terms – and one is sure that the Chief Minister's words do recognise them - for progress to be made 'government' must be clearer and more decisive – and thus more 'joined-up' across its different cultures - about what it expects from its service-delivery partners which are charities, and equally about what it does not expect.

51. This can be led only from the top. Charities, however, must be equally clear about their own parameters, shaped by their charitable purposes, understanding of their strengths and weaknesses, and their boards' assessments of what is in their best interests, including avoiding over-reliance on any single, potentially variable, funding source. A structured government–charity concordat – some kind of framework adumbrating mutual expectations – could perhaps be one way of helping to bring better clarity to what currently appears to be an area of intermittent mist. From the perspective of the Commissioner's role and responsibilities, I think that he or she would or ought to have something to contribute towards exploring an initiative of such a kind; indeed, the process of developing it may be as valuable as the eventual outcome. I am reasonably optimistic, albeit at a late hour for me, that because something must be done something will be done. The Chief Minister's clear signal marks a change.

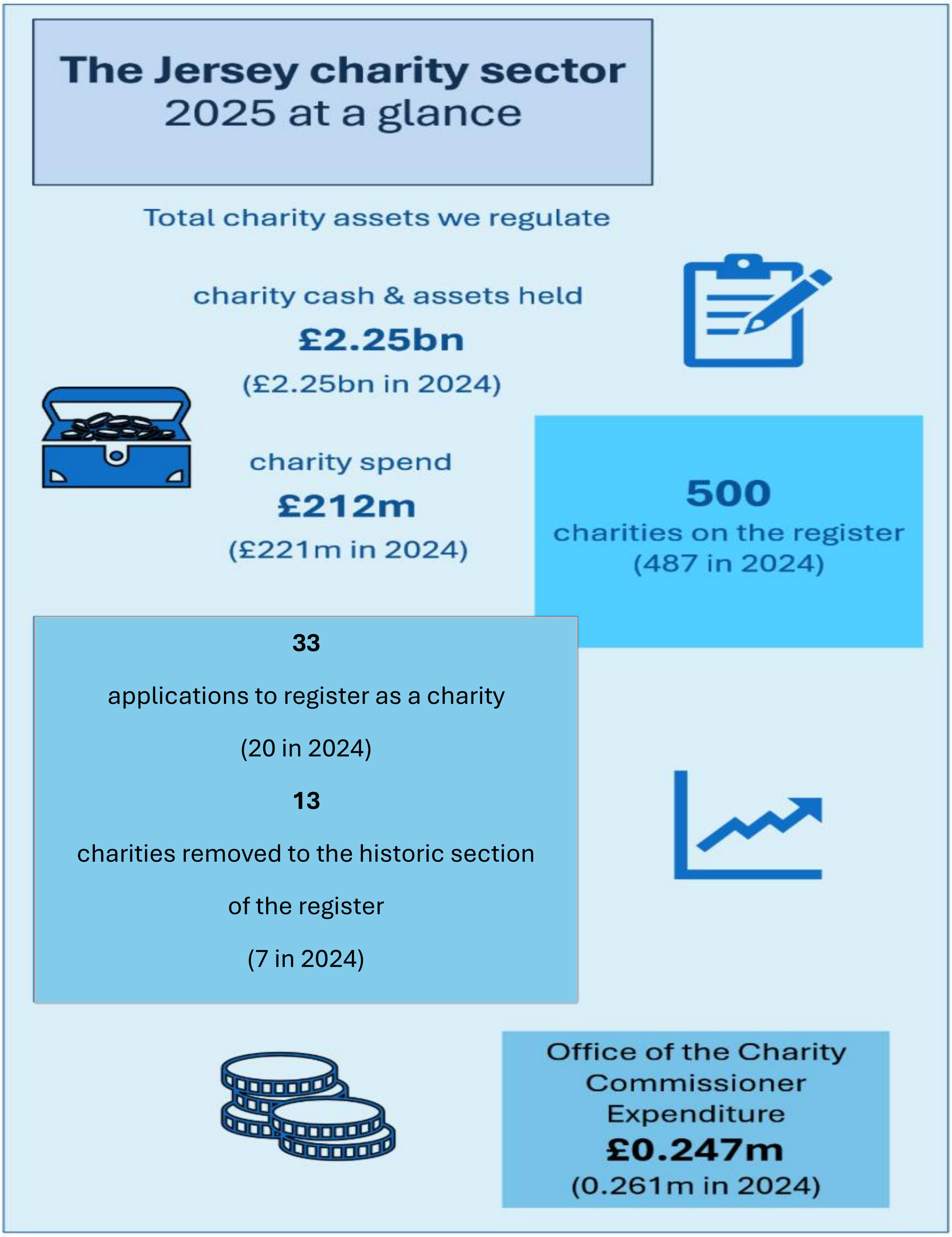
52. A related aspect of the debate about the relationship, and a difficult one, is that it also prompts questions about the extent to which some charities have or may have become somewhat dependent on public funding, and how that dependency might affect the independence of charity trustees. This is not a trivial concern but also not something straightforward because there is quite a wide range of funding models linked (or not linked) to service delivery outputs. Trustees must, though, remain free to exercise independent judgement, while excessive or continued reliance on taxpayer funding, so that it becomes as if a norm, so to speak, may put that independence—real or perceived—under pressure. The same might go for funding handed out by third parties but still from government-controlled sources such as Lottery proceeds and the Reclaim Fund. As with the government grants list one does see, unsurprisingly, many same names on each list with quite a bit of repetition. Is access to such funding as readily transparent as it should be? I think the jury is out on that. I expect this may be a sphere in which my successor may well decide he or she wants to keep an interest.

53. I do not wish to end on a pessimistic note—nor would it be accurate or right to do so. The reality is quite the opposite. Jersey's charity sector is substantial, energetic

and innovative. While growth may fluctuate from time to time, the sector continually renews itself, with a small but steady stream of new applications for registration and others choosing to leave the stage, which is far from necessarily a negative event since residual assets remain charitable moneys in perpetuity. The public is well able to decide what merits its support, and the commitment of an active minority of Jersey's citizens to fundraising is, quite simply, remarkable. Hardly a day passes without another example of genuinely good works being highlighted in the press. That strength is also evident in the several thousands of people who serve as charity governors or volunteers our best estimate is that there are some 1700 charity governors across the land, two or three per cent of the working age population. Their contribution is immense. And although financial pressures are real, the data shows that the overall financial position of the sector remains, in the phrase I used earlier, all right. Circumstances differ between organisations, of course, but it would be a mistake to focus too narrowly on issues such as government grants and contracts. Important though such arrangements are for some, they are not the core of what makes the sector strong. Rather, that lies in the breadth of voluntary effort, and the sense of service, visible across just about every part of Jersey's charity and civil society landscape.

54. Finally, I extend my sincere thanks to all the officials and advisers who have provided excellent guidance and support throughout my period of office. I single out, if I may, Patrick Hamon and his team in the Law Officers Department, whose cool and expert wisdom has invariably been of the greatest value. My greatest thanks go to my great team of two: Richard Jouault, who has lead the Office with great skill and diligence over the whole of my time as Commissioner, and who has saved me from many a slip or mishap; and Jayne Silver, our Compliance Officer these last three years, whose contribution has been of the first order, helping to keep me (and Richard sometimes) on the straight and narrow through a strong focus on what charities are actually telling us in all those hundreds of annual returns – and more. They are the two who make the role of the Commissioner work and I know that my successor will be as well served by them as I have been. I also thank the very many charity governors, employees, volunteers and applicants with whom I have interacted over such a long time. It is they who make the charity sector work well and I have learned very much from them even if we have had to have a disagreement or two from time to time. Their dedication to their causes, in all conditions and very often under the pressure of events and tight resources, has made the task of seeking to protect public trust and confidence in charities – their charities, and the public's charities - far easier and agreeable than it might otherwise have been. I am keen that the public knows this because all the work is done on their behalf.

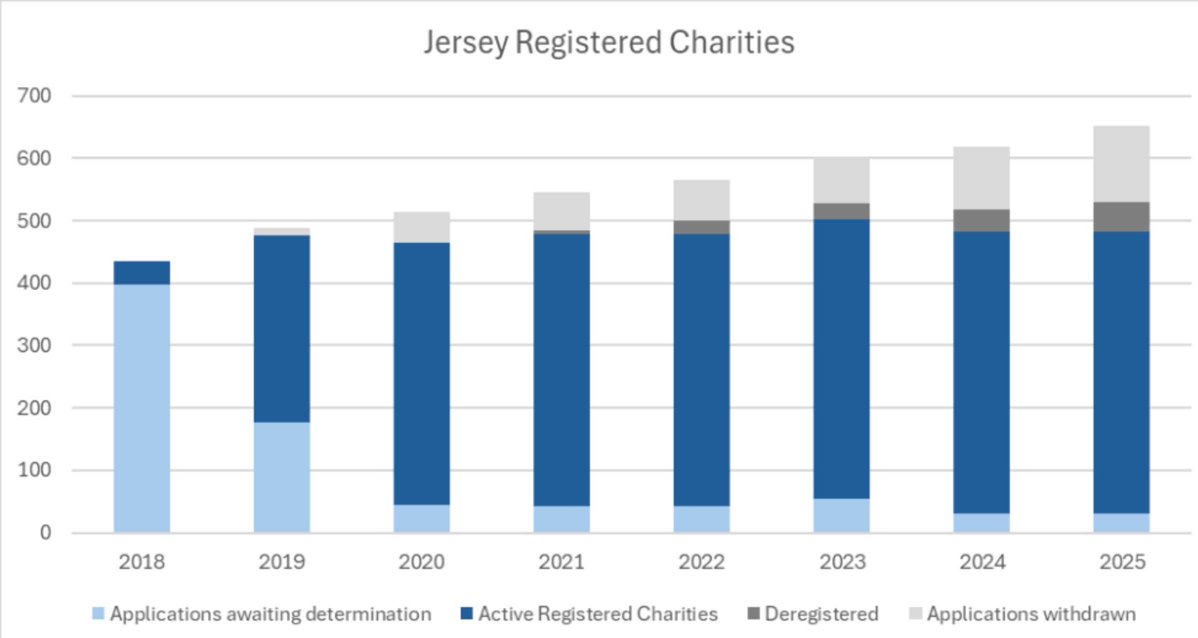
5. Performance Report by the Head of the Office of the Jersey Charity Commissioner



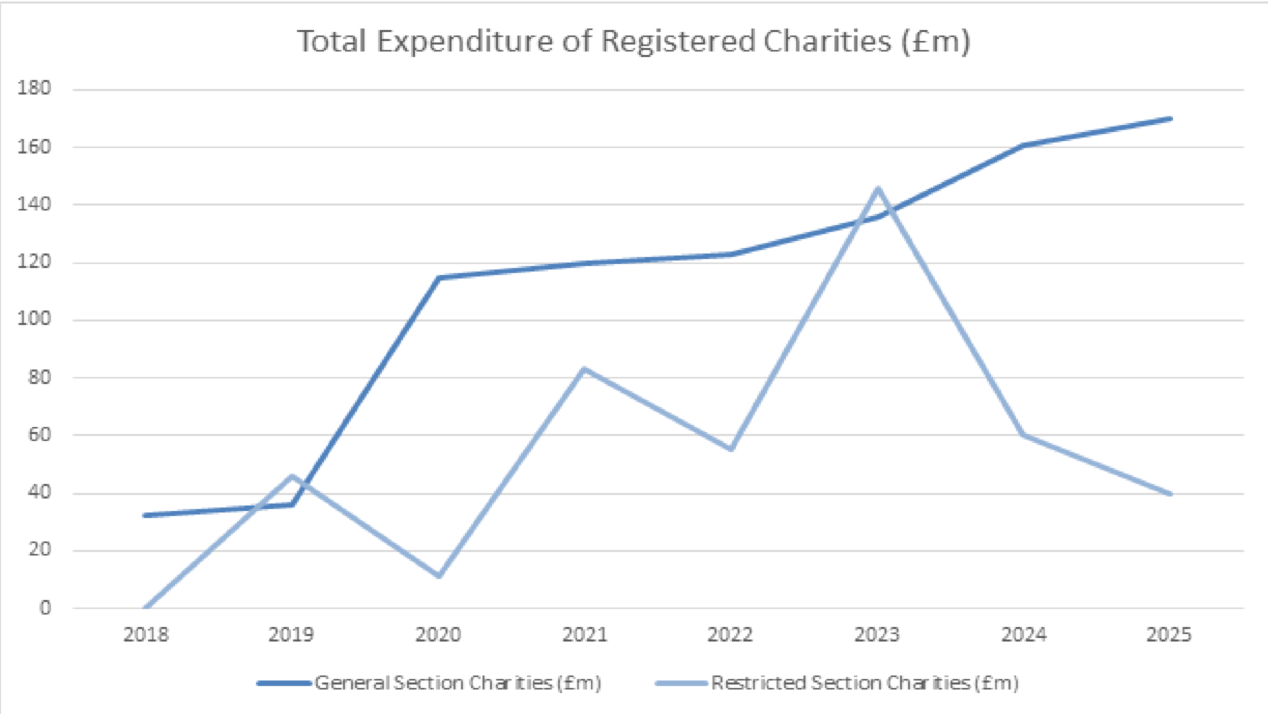
55. In 2025 charity leaders continued to describe the operating environment as challenging, citing increased demand for services, rising staffing and energy costs, and growing competition for funding. It is important to note that most Jersey registered charities are small: half report an annual income of less than £50,000. The situation in England and Wales looked to be even more acute, with approximately two-thirds of charities operating below the same income threshold (see page 32 for a comparative income distribution). As we look ahead, it will be essential to work closely with all actors, both from the charity sector and, probably especially, the government, to seek to ensure that Jersey's very small charities are meaningfully included in policy development and represented in discussions that influence funding decisions.

56. In 2025, the Economic and International Affairs Scrutiny Panel undertook a review of the use and acceptance of cash payments in Jersey. The Panel recommended that the Government should develop a clear policy and strategy outlining "the role cash is to play in the community." Among its recommendations was a proposal that the Minister for External Relations and the Minister for Economic Development should consider how both government and the private sector—including banks—might support charitable organisations during the transition to digital payments. The government accepted this recommendation and the Commissioner was asked by the former of the two ministers to consider the position. During the year, we therefore gathered views from a range of large and small charities. Feedback indicated that while many organisations—particularly, but not only, larger ones—recognised the benefits digital payment systems offered for improving efficiency, they were also conscious of associated risks and challenges. Smaller charities, in particular, may face heightened vulnerabilities when adopting new fundraising technologies. While digital systems may reduce risks linked to handling cash, they can also introduce new forms of exposure. We updated our website in 2025 to provide advice to charity governors to mitigate the risk of card machine fraud and further work in this area has been taking place in 2026.

57. In 2025, 33 applications were submitted to register new charities, up from 20 in 2024 (2023: 33). A total of 13 new charities were registered during the year, matching the number registered in 2024 and, coincidentally, the number deregistered in 2025. Since the Public Register of Charities was launched in 2018, an initial backlog of applications for registration from 'incumbents' was cleared within about two years, and the number of active registered charities in Jersey has since broadly stabilised, albeit at a somewhat higher number than had been envisaged at the very start. Over the past three years, approximately 450 registered charities have operated in or from Jersey, with new registrations being broadly offset each year by deregistrations. It should be emphasised that there is nothing abnormal about deregistrations. Charities, like any businesses, come and go, and for a wide range of reasons. The Commissioner's duty is to ensure that assets available at a deregistration are made available for continued charitable use by other entities, usually ones operating in the same sphere or space. He has to approve all such distributions. Our experience is that these arrangements are well understood and work well.



58. At the end of 2025, there were 453 active registered charities - the same number as at the end of 2024 - though the proportion of general section versus restricted section charities shifted slightly in favour of the former. Total cash and assets held by charities remained stable at an estimated £2.25 billion. Total reported expenditure, however, declined from £221 million in 2024 to £211 million in 2025. This continues a three-year downward trend largely driven by a small number of very large, restricted section charities reporting reduced expenditure since 2023. By contrast, total expenditure of general section charities has continued to increase year on year (£136m in 2023, £161m in 2024, £170m in 2025). These figures are based on annual returns submitted in 2025, reflecting the 2024 financial year.



59. The number of complaints received from the public regarding both registered and unregistered entities decreased in 2025. A total of 11 complaints were recorded, compared with 17 in 2024 and 16 in 2023. Although the volume is relatively low, such cases often require significant resources to review and, if appropriate, investigate. Most were resolved within the year, with a small number carried forward into 2026. The Commissioner's policy on addressing complaints made about charities is published on the website. The CJL does not give him a specific mandate to investigate such complaints and so the policy aims to establish the key considerations that would likely be followed in a given situation. The heart of the matter would always be – always have to be, in fact – whether a registered charity had acted or operated outwith the provisions of the CJL, from which the Commissioner's powers are derived. Having regard to that, he would normally also consider whether a complaint touched on issues where he might or would be able to act meaningfully, within his powers, having pursued it. He would be more unlikely than not to pursue a complaint that seemingly turned wholly or mainly on a complainant's mere dislike or disapproval of a particular action or omission by a charity. And the Commissioner is quite clear that it is not his role to seek to substitute his own view of some decision or policy for that of a charity, as properly developed and expressed through and by its governors and by virtue of its policies and procedures. This last point would be especially germane where a complaint touched on matters of specialist or professional competence or skill.

60. The Office also received its first Data Subject Access Request (DSAR) in 2025, followed by a related complaint to the Jersey Office of the Information Commissioner regarding how the DSAR was handled. As noted in Section 7 below, the complaint was not upheld by the Information Commissioner.

61. Consideration of complaints, alongside maintaining an accurate and up-to-date public register, rely heavily on the expertise and commitment of my colleague, Jayne Silver. Jayne manages the majority of the approximately 400 annual returns submitted each year. Reviewing these returns thoroughly and carefully – and one fears that they do vary both in quality and, sometimes, timeliness - is fundamental for demonstrating that all registered charities duteously continue to meet the charity test. This is the essential operation that serves to enable the Commissioner to assure with confidence both the Minister and the public at large that public trust and confidence in registered charities is, as far as reasonably practicable, being protected in accordance with the scheme of the CJL. With the number of charities now on the register, reviewing annual returns and following up many issues that arise therefrom is an onerous task, that onerousness, however, being matched by its importance.

62. Finally, on behalf of the Commissioner's team, and I am sure of many across the sector and within government, we extend our sincere appreciation to Jersey's first Charity Commissioner, John Mills CBE. After nine years in post, he steps down very shortly. His leadership has been instrumental in bringing the CJL to life, as it were, and establishing the Island's first register of charities.

Richard L Jouault
Head of the Office of the Jersey Charity Commissioner
10 September 2026

6. Performance Analysis

63. By the end of 2025, there had been 651 applications submitted for registration as a Jersey charity since the process began in 2018. 33 of those were in 2025, 500 of those had been determined positively by the Commissioner and the applicant entity duly registered. At the end of 2025, there were 30 applications pending determination, most being ‘on hold’ at the applicant’s request or awaiting further information or amendment by the applicant at the Commissioner’s request.

64. The bulk of initial registration work had been completed by the end of 2020 with the focus then shifting to the validation of annual returns for the 400 or so charities registered at that point. By the end of 2025, a total of 2,176 annual returns had been filed (397 filed and validated in 2025). This is how the public register is kept up to date.

65. The majority of charities (86%) are registered in the general section of the register. There were 430 general section charities registered at the end of 2025. The restricted section, which contains charities that do not solicit donations from the general public, is much smaller, with but 23 registered charities at the end of 2025.

66. 2025 also saw a further 13 charities seeking deregistration bringing the total number of deregistrations since inception to 47. An entity having been approved by the Commissioner for deregistration, its details are removed to the historic section of the register, where they must be retained for ten years. The scheme in the Law for deregistration ensures that the assets of deregistered charities are maintained as charitable assets in perpetuity. Information is available in the public register as to how other charitable organisations have benefitted from the cessation of the 47 registered charities now removed to the historic section of the register.

67. While no application has yet been refused by the Commissioner, by the end of 2025 121 applications had been withdrawn by the applicant. In the majority of these cases, this had come about as a result of dialogue, sometimes lengthy, between the applicant and the Commissioner by which it had been ascertained that either the charity test was unlikely to be met absent considerable change or that the entity might be better placed to operate effectually without registration, perhaps as a social enterprise or other kind of not-for-profit organisation. In some instances such dialogue has preceded a formal application and then averted the need for the same. A number of Jersey charitable trusts are included among the 121 withdrawals, (that is to say, that despite their legal status under the Trusts Law the Commissioner took the view that they did not meet the charity test). But it should also be noted that a number of such trusts have also readily been approved for registration. The test for all applications is the same: they must, in an objective manner, meet the charity test. (See Annex (a), paragraph 5, for a little further elucidation on this particular point.)

	2025	2024	2023
Number of applications received in year	**33**	20	33
Total number of applications received by year end	**651**	618	598
Number of charities registered in year	**13**	13	17
Total number of charities registered by year end	**500**	487	474
Number of applications awaiting determination	**30**	30	54
Total number of applications withdrawn	**121**	101	70
Total number of charities registered in General Section	**430**	426	420
Total number of charities registered in Restricted Section	**23**	27	27
Total number of charities registered in Historic Section	**47**	34	27
Total number of applications rejected	**0**	0	0
Annual Returns filed and approved in year	**397**	412	402
Total number of Annual Returns filed and approved by year end	**2176**	1779	1367
Number of Required Steps Notices Served on Registered Charities	**0**	0	1

Financial performance

68. Resources for the Office of the Jersey Charity Commissioner were allocated from the Jersey Reclaim Fund, wherein proceeds due under the Dormant Bank Accounts (Jersey) Law 2017 are held. This is pursuant to Ministerial Decision MD-ER-2025-995. Running costs for 2025 were £247,413 (2024: £260,659). The decrease compared with 2024 resulted from decreased staff costs mostly because the secondment of a policy apprentice in 2024 came to an end.

Communications

69. At the beginning of 2025, a public consultation was carried out on proposed legislative amendments to extend the definition of misconduct by charity governors. This would give the Commissioner power to exclude a governor on safeguarding grounds. The change is intended to enhance safety for beneficiaries who receive services from charities, and for others who work with or for them. 27 charities responded to the consultation, with 24 charities (89% of respondents) in favour of the proposed changes and 3 (11%) against. In the light of this approbation, the States proceeded to approve the change, without dissent. The Charities (Reportable Matters) (Jersey) Order 2025 duly came into force following on 1 June 2025. Revised guidelines for disqualification from being a Governor were accordingly published on the website.

70. The Charities (Entities) Law (Jersey) Amendment Order 2025 came into force on the 16 October 2025. The purpose of this was to enable certain entities established under the law of Jersey to seek registration as charities where, by reason of a small lacuna in the CJL, they had not been able to do so before.

71. Advice to charity governors on preventing card machine fraud was published. This took into account several recent cases in both Jersey and England where charity workers had been found guilty of misappropriating funds through manipulation of card machines.

Digitalisation

72. We have invested in technology to enable the entire end to end process of application, registration, certification, and the filing of annual returns to be paperless for the end user and completed entirely online. All application and other processes are at no cost to the applicant. There is a back-up register together with other safeguards for security and privacy assurance. Our systems are working well (though we never take that for granted) and, we believe, help to ensure that any 'burden' on charities arising from the regulatory requirements imposed upon them by virtue of the CJL is as low and as straightforward as can be. This said, however, we are always alert to the need to keep technology requirements and arrangements under review. Because we are small we perhaps have the ability to be nimble if or when problems or new things come into play; the counterweight to that, though, is that we have very little economy of scale.

73. During 2025, an integrated complaints module was added to the registry so that complaints, whether or not selected for investigation, can be tracked more readily and outcomes monitored.

Risk Management

74. The Office keeps main risks under regular review. Those are risks that, were they to materialise, would have the potential to cause more than a marginal impact on the functioning of the Office including maintenance of the Public Register. Prospective mitigations are equally kept under review. The following areas are those where main risks are likely to be most prevalent for a business such as ours:

People

the risk is of interruption to normal business arising from both staff members being indisposed or otherwise absent at the same time. This is mitigated by facilities for remote working, including switching of the main telephone line to mobiles. The Commissioner, moreover, is normally able to deal with all papers remotely. Arrangements for meetings to be held by means of the internet are in place. Prioritisation is put into effect in the face of indisposition but, in truth, many things can await the next day

Finance

the risk is of having insufficient resources for the discharge of statutory responsibilities and inadequate information to manage budgets. This is mitigated by careful husbanding of budgets agreed with the ministry. A ministerial decision was taken in 2023 to assure funding from the Reclaim Fund until at least 2027. Ministerial Decision MD-CM-2023-626 refers. Under the CJL the Minister must provide such accommodation and equipment as he or she considers are required for the proper exercise and discharge of the Commissioner's functions. Mitigation arises from the nature of the 2023 decision and the above obligation written into the CJL

Technology

delivery of the public charity register function, and indeed the whole functioning of the Office, is reliant upon robust and secure technology. The risks associated with 'cyber-attack' or other aspects or evidence of failure are mitigated by independent technology support from a leading firm at St Helier, which includes regular testing and software updates. A range of changes was implemented during 2025 to improve the integration of various workflows and to improve both external user experience and registry functionality. Technology arrangements and performance are kept under continual review. There is always scope, subject to resources, to make things go better

Reputation

the Commissioner's principal general function is to seek to act in a way that protects public trust and confidence in registered charities. Any sense arising, from whatever quarter, that public trust and confidence in Jersey registered charities may be in wane or otherwise seeming to be under pressure, has the potential to affect not only the standing of charities in the community of the Island but also the reputation or worth of the oversight regime to which charities are subject and the standing of the law that lies behind it. It can certainly be argued that the reputation of the charity sector, globally and certainly not just at Jersey, is quite capable of hanging by a few fairly slender threads not unable to break if pulled too hard by bad or wanting actions, even if those are confined, maybe, to but one or a few entities or actors. The first and foremost mitigation for this is constant vigilance as to how, in the round, charities are performing in giving effect to their objects through the delivery of public benefit, and here our review of each and every annual return – around eight a week - is most important. We look not only at the requisite annual narratives describing activity in the year past but also accounts, and couple what we can learn from those with more general market intelligence. Things are greatly helped by charities themselves seeking advice and support on all sorts of issues perhaps vexing their governors, whether to do with money (both too little or, sometimes, too much) governance or people (members and trustees, as well as the public at large as customers or beneficiaries). Work continues in 2026 with colleagues at the Jersey Financial Services Commission to seek to identify those charities (the which are also Non-Profit Organisations) likely to be at a higher risk of being misused, from within or without, for nefarious purposes. We have developed a risk-based approach to the validation of annual returns so that we give enhanced oversight to those registered charities prospectively at higher risk in or from such spheres. This work has also helpfully led to greater contact with a variety of professional trustees at St Helier, who have without exception been alert to the need for such enhanced assurance, whose securing is as much part of their own duties as it is ours. This is a set of relationships for us as regulator to value, and we hope and believe that that sentiment is reciprocated. Because, moreover, we are a small organisation, all the plates being juggled by just three people, we can respond to contact requests quickly and easily. We are equally becoming able through this work a little better to begin to get to know the scope and scale of the charitable trusts sector, which, registered charities or no, is cabined by the NPO regime now firmly in place under the auspice of the Financial Services Commission. We regard all these things as good mitigations against damage from reputational risk

<u>Relationship with the Government</u>

there is debate to be had about whether this important sphere has the potential to constitute risk. Even, though, leaving aside the issues of resources touched on above, the answer must, we suppose, be yes. The ministry perforce sets the loudest tone not only about charities and their place and role in civil society but also bodies like our that are at 'Arm's Length'. A sabre certainly gets rattled on this from time to time. While that is, of course, a political matter, we see mitigation first, in the CJL – what is mandated would have to be unmandated for substantive change to be able to happen; and secondly, in our small size – there is genuinely pretty much no headroom for cuts. Nonetheless, also important is our relationship with the sector we regulate; if there is reasonable trust and contentment in that quarter we judge that political action to change the current settlement is unlikely, as far ahead as reasonably one may look

7. Accountability Report

This section is divided into three parts:

- Corporate governance
- Remuneration and Staff; and
- Expenditure

Corporate Governance

75. John Mills was appointed as Commissioner in July 2017. His appointment was renewed by the Minister for External Relations on 12 June 2020 for a second three-year term, and on 26 June 2023 for a third three-year term, with the support of the Assistant Chief Minister with responsibility for Financial Services following approval by the Jersey Appointments Commission. That third term ended on 11 June 2026. Since the Minister at that point had not appointed a successor his term was further extended, until today, 11 September 2026. In each case the reappointments were duly notified to the legislature.

76. Mr Richard Jouault, the Head of Office, has been invited by the Minister to fill the role of Commissioner on an acting basis pending a new appointment, the competition for which it is understood is expected to begin quite soon.

77. The Office maintains a register of interests for the Commissioner and staff, and the Head of Office is the designated Data Protection Officer. There were no personal data-related incidents during 2025 that would have needed to be reported to the Office of the Information Commissioner. No conflicts of interest were notified or came to attention. One complaint to the Jersey Office of the Information Commissioner (JOIC) was recorded regarding how a Data Subject Access Request (DSAR) was handled by the Office.

78. The Office of the Jersey Charity Commissioner, as an independent body, is responsible for ensuring that good governance arrangements are in place in respect of the conduct of all its affairs. This is particularly important to ensure information security, in relation to which a number of specific duties are put in place by the CJL. The government, for its part, seeks to aim to ensure, on behalf of citizens, that good governance is effected by any arm's length body such as ourselves, that effectual internal controls are in place and that, in consequence, there is always very good assurance of probity and value for money on the part of the body in question.

79. In our case, accountability and assurance arrangements are set out in a Framework Agreement which can be read on the Commissioner's website and which is intended to reflect the government's Code of Good Practice Principles and accord with the requirements of the Public Finances Manual. The Agreement adopts an approach to accountability and assurance that is proportionate and takes account of the Commissioner's statutory independence, but which reflects sound cognisance of the Charity Commissioner's purposes under the CJL, together with an understanding of the principal risks arising from all the varied activities of the Office. The Agreement is kept under review, and considered at regular meetings with senior officials of the ministry. From time to time, the Commissioner meets the Minister, and the two are always able readily to communicate as need may arise.

80. Risk management arrangements have been addressed in Section 6 above.

Remuneration and Staff

81. Schedule 1 of the CJL provides that the Minister must make available to the Commissioner such number and descriptions of staff as the Minister considers are required for the proper and effective discharge of the Commissioner's functions.

82. During 2025, two full time posts comprised the Commissioner's Office. This has in fact been the position since the Office started up in 2018. The two posts were held by Richard Jouault Esq, as Head of Office, and Ms. Jayne Silver as Policy Officer. The Commissioner wishes to record his strong approbation of the high quality of their services, in the knowledge, furthermore, that that view is very widely shared within the whole charity sector in Jersey and those parts of officialdom with which the Commissioner's Office mostly relates.

83. Total staff costs for 2025, including Commissioner's fees, wages for staff and relevant on-costs, and training were £220,634.32 (2024: £223,297) Staff numbers are too low to permit or warrant the publication of precise details of remuneration.

84. Since the Commissioner's Office comprises but a very small team, it relies on specialist technology support from external contractors; this is much more cost effective and effectual for the business than were there to be a dedicated in-house resource for this crucial sphere of business. In 2025, the cost of this outsourcing was £13,769.20 (2024: £13,663), the which delivered satisfactory outcomes and ensured that all systems, most especially the public register, ran well for the benefit of both registered charities, applicants for registration and citizens generally. It is not really practicable to contemplate any other way of doing things.

Expenditure

85. The CJL provides that no charge shall be levied on any person applying for registration or wishing to consult the public part of the register. This sensible provision endorsed by the legislature not only meets the proper needs of charities but also considerably simplifies the conduct of business. Registered charities and applicants for registration alike are in no guise constrained by reason of cost from contacting, and interacting with, the Office.

86. The CJL requires the Minister to provide such accommodation and equipment as he or she thinks is necessary for the proper and effective discharge of the Commissioner's functions; this has been taken to include the provision of sufficient financial resources and, of course, sufficient staff. Costs of all this, says the CJL, are to be met from the public purse. The source of funds for now several years has been the Jersey Reclaim Fund established under the Dormant Bank Accounts Law 2017, which provides for the same as well as use of available moneys for charitable purposes. It cannot therefore be said that the Commissioner and his Office are financed from taxpayers funds.

87. Expenditure for 2025 was £247,413.81 (2024: £260,659), financed as described above. The table below summarises the position:

Cost	**Actual 2025**	Actual 2024	Actual 2023	Comments
Charity Commissioner staffing costs including - 1 full time Executive Officer 1 Policy Officer (full time from 1 August 2025) Charity Commissioner training	**£220,634.32**	£223,297	£176,877	Policy Apprentice seconded to Office from September 2023 to September 2024.
Office Premises including rates, stationery, cleaning, utilities etc.	**£22,680**	£22,680	£27,355	Serviced premises: includes cleaning, electricity, photocopying and telephone costs.
Miscellaneous Overheads	**£1,670.29**	£1,019	£109	
Register and Website costs including annual charges, licences and support	**£13,769.20**	£13,663	£31,874	
Total **Grand Total**	**£258,753.91** Less £11,340 as credit **£247,413.81**	£260,659	£236,216	

8. Data about registered charities

	2025	2024	2023
Cost of the Commissioner's Office	**£0.247m**	£0.261m	£0.236m
Indicative total value of assets held (all registered charities)	**£2,245m**	£2,257m	£2,214m
Indicative total value of assets held (Restricted Section)	**£1,745m**	£1,784m	£1,845m
Indicative total value of assets held (General Section)	**£499.5m**	£473.3m	£368m
Indicative average value of assets held per charity (all charities)	**£4.5m**	£4.6m	£4.6m
Indicative average value of assets held per charity (Restricted Section)	**£75.8m**	£66.1m	£68.3m
Indicative average value of assets held (General Section)	**£1.1m**	£1.1m	£0.87m
Indicative median value of assets held (all registered charities)	**£58k**	£64k	£59k
Indicative median expenditure (all registered charities)	**£37K**	£26k	£33k
Indicative total expenditure (all registered charities)	**£210m**	£221m	£282m
Indicative total expenditure (Restricted Section)	**£40m**	£60m	£146m
Indicative total expenditure (General Section)	**£170m**	£161m	£136m
Indicative average expenditure (all charities)	**£0.4m**	£0.5m	£0.6m

Indicative average expenditure (Restricted Section)	**£1.8m**	£2.2m	£5.4m
Indicative average expenditure (General Section)	**£0.4m**	£0.4m	£0.3m
Number of charities registered by statutory charitable purpose [1]	**2025**	2024	2023
(a) prevention or relief of poverty	**49**	49	48
(b) advancement of education	**95**	94	95
(c) advancement of religion	**89**	87	86
(d) advancement of health	**67**	67	67
(e) saving of lives	**17**	18	17
(f) advancement of citizenship or community development	**101**	99	96
(g) advancement of the arts, heritage, culture or science	**51**	47	46
(h) advancement of public participation in sport	**40**	35	29
(i) provision of recreational facilities for improving the conditions of life for those for whom the facilities are primarily intended	**42**	42	40
(j) advancement of human rights, conflict resolution or reconciliation	**16**	16	16
(k) promotion of religious or racial harmony	**6**	7	6
(l) promotion of equality and diversity	**28**	29	27

(m) advancement of environmental protection or improvement	**26**	26	25
(n) relief of those in need by reason of disadvantage	**116**	118	115
(o) advancement of animal welfare	**17**	18	16
(p) any purpose that may reasonably be regarded as analogous to any of the above (mostly those which give grants to other charities)	**57**	58	59
Total number of registered charities by legal entity	**2025**	2024	2023
Jersey body corporate	**11**	11	12
Court-approved fideicommis	**19**	19	16
Incorporated '1862' Association	**99**	98	98
Jersey company	**74**	69	67
Jersey foundation	**8**	7	6
Jersey trust	**84**	85	83
Other (mostly unincorporated associations)	**205**	198	192
Total	**500**	487	474
Complaints received about registered charities	**8**	11	12
Complaints received about charitable organisations not registered	**3**	6	4
Total complaints received	**11**	17	16

Income band (£)	% Jersey charities (2025)	% Jersey charities (2024)	% Jersey charities (2023)	% Eng & Wales Charities (2025)	% Eng & Wales Charities (2024)	% Eng & Wales Charities (2023)
0-to-5k	18.3	18.3	19	30.8	32.2	34.1
5k-to-10k	6.0	8.8	9	9.8	9.6	9.9
10k-to-25k	14.1	12.8	14	15.7	15.7	15.4
25k-to-50k	11.7	10.3	11	9.8	9.4	9.2
50k-to-100k	14.1	13.0	13	9.0	8.9	8.7
100k-to-250k	13.0	15.8	14	10.7	10.3	9.8
250k-to-500k	8.8	7.9	5	5.3	4.9	4.7
500k-to-1m	5.7	4.4	5	3.4	3.1	2.9
1m-to-5m	6.2	6.1	6	3.6	3.4	3.3
5m-to-10m	1.1	1.3	1	0.7	0.7	0.7
Over 10m	0.9	0.8	0.9	1.0	0.9	0.8

9. Annex (a) The Charity Test

88. The charity test is prescribed in the CJL. It is met by an entity if:

- all its purposes are charitable purposes, save for any purpose purely ancillary or incidental; and

- in giving effect to those purposes (including any that are ancillary or incidental), it provides or intends to provide public benefit in Jersey or elsewhere to a reasonable degree.

The charity test must be met not only by applicants for registration, in order for them to be first registered as Jersey registered charities, but also continuantly by registered charities. Continuancy is generally adjudged by the Commissioner from perusal and approval of annual returns, which must include a succinct narrative of activity undertaken in the reference year to deliver public benefit. The position, however, may be considered at any time in the light of whatever untoward or perhaps otherwise wanting events or actions (including inactions) that may have chanced to take place or come to light, in respect of any registered entity.

89. Public benefit is not defined in the CJL, just as it is not either in England or at Scotland. The concept is, rather, embedded in the common and customary law of charity. Public benefit is what charities provide, and must provide, in order to give effect to their objects; and they must provide it to a reasonable degree. That notion of reasonable degree, which is on the face of the Jersey statute, is illumined a little further in the Commissioner's statutory guidance on the charity test. The notion, however, is not on the face of either the England and Wales, or Scotland, statutes.

90. In the CJL, in this regard following Scotland, the embedment is governed by certain rules, which are in Art.7, to which regard must be had by the decision-maker on the charity test. The essence of these is as follows:

- public benefit must be available to the public at large, or a sufficient section of the same. Benefit is not public benefit if its availability is, in theory or practice, confined to a closed, restricted or self-selecting group, or a group artificially constructed, so to speak, so that it excludes the wider public or wider membership even if, in the round, a sufficient group is indicated

- it is to be contrasted with private benefit that (as an example) may accrue to the members of an entity themselves (or persons connected with or to them, whether or not by contract) and with any public disbenefit which may arise, in consequence of the entity's exercise of its functions. Weighing the balance of private *versus* public benefit is thus a key element of the charity test. Public disbenefit is not a defined phrase in the CJL but is a matter for the Commissioner's discretion as decision-maker. Any private benefit, it follows, should be but incidental to the delivery of public benefit or no more than an effectively unavoidable consequence of that delivery.

- where public benefit is, or is likely to be, provided to only a section of the public (it being presumed that that section is sufficient) there must be no undue restriction on the obtaining of the benefit, such as, for example, through high fees or restrictive, opaque or capricious membership rules, or from the benefit's being confined to but a certain, restricted element of a given cohort without virtuous reason. Public benefit is *public* benefit

- for public benefit purposes, a section of the public may not be one particular natural person or a group of identified such persons, or a nexus of persons such as, say, the members of one family or the employees of a single firm

- it is not to be presumed that any particular charitable purpose is for the public benefit. For the charity test to be met, and for it to continue to be met, delivery of public benefit to a reasonable degree thus has to be demonstrated in a manner sufficiently discernible (that is to say, it must not simply be in the eye of the provider), the intent being described in a public benefit statement approved by the Commissioner that is available on the public register for all to see. It is the duty of charity governors to seek to act in a manner consistent with their charity's public benefit statement, and a charity's duty to deliver the benefit to which it is so committed.

91. It follows that a purpose is a charitable purpose only when given effect by public benefit as defined and required. See paragraph 105 of Annex (b).

92. These possibly competing considerations are to be given regard or weighed by the decision-maker, which for registration purposes is the Commissioner. On the other hand, information about the public benefit to be delivered pursuant to the exclusively charitable objects of a charitable trust formed under the Trusts (Jersey) Law 1984, where the Commissioner is not a decision-maker since registration under the CJL is not required, and ditto about any public disbenefit arising from the exercise of the functions of such a trust, would not normally (or perhaps ever save were revealment to arise from a case before the court) be in the public domain or subject to regulatory avouchment. There is thus in Jersey little or no surety of public trust and confidence in charitable trusts and their compliance, or otherwise, with statutory and legal rules concerning charitable purposes and public benefit according to law. This looks to be unsatisfactory, since it is as if there were two standards of charity in Jersey law. To date, however, it is not a matter that has been brought forward for review by the ministry, while purveyors and users of such trusts are unlikely to be discontent (although they can of course seek registration if they desire).

93. The Charities Law protects the noun *charity*, to the effect that, in essence, it may be utilised in Jersey to refer only to Jersey registered charities or charities registered in the UK that operate in Jersey. There is a power in the Law, not to date given effect by the legislature, to extend such or similar protection by Regulations to the terms *charitable* and *public benefit* (and any related term) in relation to the soliciting of donations from the general public or any prescribed class of persons. The power includes scope for the object of its policy to be attained by means of the Commissioner's exercising her or his discretion. This is not entirely unlinked to the point made about charitable trusts in the preceding paragraph.

94. Although it is not something referenced in the Law itself, the Commissioner's statutory guidance on the operation of the Charity Test seeks to educe the difference between charity and philanthropy. The latter term oft seems to be used somewhat loosely, as if to be wholly interchangeable with the former, but which it is not, or not necessarily. The key difference is that charity flows from, and depends upon, exclusively charitable purposes (see Annex (b) below for the precise delineation of those). On the other hand, for instance, a philanthropic foundation may have mixed purposes, both charitable and non-charitable, or a rather greater, perhaps a significant, element of private benefit in favour of a founder or member or those connected to them, or maybe a relatively closed group of beneficiaries. An example of a non-charitable purpose might be support for commercial businesses or housing provision generally, or support that focussed on an insufficient or closed section of the public or on but a nexus of persons. In short, philanthropy can for sure flourish outwith the confines of the charity test but is not to be confused with charity. It is important for the good governance of Jersey's scheme for the regulation of charities and for its accurate portrayal, especially where the 'financial services industry' is being promoted (or is promoting it, Jersey's scheme of charity regulation in the CJL, itself), that this distinction is not only overtly cognised by promoters but also wholly espoused and acknowledged in their communications. It does not seem to be evident that that is always wholly the case.

95. The Charity Test and the approach to determining it are described more fully in Guidance Note 2, available on the Commissioner's website.

96. The Commissioner's registration decisions, and certain other decisions (for example as to charities' names) are appealable to the Charity Tribunal, which is formed under the CJL. In the case of registration decisions, it is also open to third parties to appeal on grounds of not meeting the charity test or the undesirability of a proposed charity's name if that third party has an interest in the name. The Attorney is empowered to appeal against any decision of the Commissioner. To date, no appeals to the Tribunal have been made.

10. Annex (b) The Statutory Charitable Purposes [CJL Art.6]

97. There are 15 statutory charitable purposes listed in the CJL, together with a sixteenth which enables other purposes reasonably able to be regarded as analogous with the 15 to be brought into the list.

98. The list as given in Art.6(1) of the Law is as follows:

(a) the prevention or relief of poverty
(b) the advancement of education
(c) the advancement of religion
(d) the advancement of health
(e) the saving of lives
(f) the advancement of citizenship or community development
(g) the advancement of the arts, heritage, culture or science
(h) the advancement of public participation in sport
(i) the provision of recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended
(j) the advancement of human rights, conflict resolution or reconciliation
(k) the promotion of religious or racial harmony
(l) the promotion of equality and diversity
(m) the advancement of environmental protection or improvement
(n) the relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage
(o) the advancement of animal welfare
(p) any other purpose that may reasonably be regarded as analogous to any of the above purposes

99. Art.6(2) qualifies the statutory purposes as follows:

(d) includes the prevention or relief of sickness, disease or human suffering
(f) includes rural or urban regeneration, and the promotion of civic responsibility, volunteering, the voluntary sector or the effectiveness or efficiency of registered charities
(h) sport means sport that involves physical skill and exertion
(i) applies only in relation to recreational facilities or activities that are primarily intended for persons who have need of them by reason of their age, ill-health, disability, financial hardship or other disadvantage, or which are available to members of the public at large, or to male or female members of the public at large
(n) includes relief given by the provision of accommodation or care; and
(p) for the purposes of this purpose, the advancement of any philosophical belief (whether or not involving belief in a god) is analogous to purpose (c)

100. The Commissioner has set out in statutory guidance two further purposes under (p) that in his view may reasonably be regarded as analogous with given statutory purposes:

analogous with (f): providing financial or other kinds of support in advancement of any of the statutory charitable purposes, including, but not confined to, providing such support to other registered charities; and also analogous with (f): promoting the effectiveness, welfare and standing in the community of Jersey of the Armed Forces of the Crown, including the Army Reserve, cadet forces and veterans

(Guidance Note 2 on the Charity Test, at paragraphs 54-58, refers.)

101. The most usual analogous purpose among Jersey registered charities is supporting other registered charities or charitable purposes. This covers a range of 'grant-givers'. The Commissioner has not to date been faced with having to decide whether any adscititious purpose proposed under purpose (p) may reasonably be regarded as analogous to any of the statutory purposes.

102. The list of statutory purposes and qualifications in Art.6 of the Law is drawn word for word from s.7(2)-(3) of the Charities and Trustee Investment (Scotland) Act 2005, save for the addition of the word *registered* in the first analogon at paragraph 4 above.

103. There are a few differences between, on the one hand, the Jersey (and Scottish) statutory purposes and, on the other, those obtaining in England and Wales under s.3(1)-(2) of the Charities Act 2011. Those differences are:

- apropos Jersey's purpose (h), the 2011 Act references advancement of amateur sport and states that the word sport means sports or games which promote health by involving physical or mental skill or exertion. This could be said to proffer a somewhat broader definition of sport for charity purposes than which is stated to apply in Jersey (or Scotland)

- re Jersey's purpose (n), the 2011 Act includes *youth* in the illustrative list of attributes governing *need* arising from *disadvantage*

- in relation to Jersey's purpose analogous with purpose (f) concerning the Armed Forces, the 2011 Act provides for this sphere of charity a somewhat broader statutory purpose in its own right: *the promotion of the efficiency of the armed forces of the Crown or of the efficiency of the police, fire and rescue services or ambulance services*. The analogous purpose at Jersey, as it currently stands by virtue of the Commissioner's guidance (but only by that), does not include promoting the efficiency of the Police Force, Fire Brigade or Ambulance Service. To date, no issue about this has arisen for consideration

- re Jersey's purpose (p), the 2011 Act references a number of *any other purposes*:

  - first, those purposes that are not within the list on the face of the statute but which are recognised as charitable purposes by virtue of s.5 of the Act (recreational and similar trusts, etc.) or under the law in force immediately before 1 April 2008. In essence, s.5 says that it is charitable in England and Wales to provide, or assist in the provision of, facilities for recreation or other leisure-time occupation if the facilities are provided in the interests of social welfare. This is stated in case-law and in the books to apply in particular, subject to the social welfare condition, to entities such as village halls, community centres and women's institutes, and to the provision and maintenance of grounds and buildings to be used for the purposes of recreation or leisure-time occupation; and it is extended to the provision of facilities for those purposes by the organising of any activity. In principle, many of these kinds of considerations would in the Commissioner's view normally be able to be accommodated at Jersey under statutory purposes (f), (h) [as qualified] or (i)

- secondly, those purposes that may either be *analogous* to the main list in the Act or *within the spirit of* either any of those same purposes or other recognised purposes; and thirdly,

- purposes that may reasonably be regarded as analogous to, or within the spirit of, any purposes which have been recognised under the law relating to charities.

104. The qualifications above perhaps lead, or could lead, to some definitions of potentially broader scope in England and Wales than the present obtention in Jersey. The Commissioner, however, has an appropriately reasonable degree of latitude under purpose (p) should the exercise of such be warranted. And in principle he or she has scope to go further, should a valid need arise, subject to consultation. (Paragraph 58 of Guidance Note 2 refers.) He would also expect the court in Jersey to have, at the very least, close regard to the position in English law should an eventuality arise. (This point is adumbrated in Guidance Note 1.)

105. It is important to note that a given charitable purpose does not have effect in isolation, so to speak. The CJL says explicitly that the decision-maker – that is to say, in respect of the registration of entities that meet and continue to meet the charity test, or otherwise, the Commissioner – must not presume that any particular charitable purpose is for the public benefit. That must be shewn by a charity's or an applicant's meeting the public benefit element of the charity test. A purpose becomes a charitable purpose only when it is given effect through delivery of public benefit to a reasonable degree, having regard to the prescription in Arts5-7 of the CJL relating to public benefit.